THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.16838 OF 2005

Dated: 27-12-2005

Between

Rajesh Pandey, S/o. Sri Ramchandra Pandey

Occ: Security Guard, R/o. Plot No.56,

Ambedkar Nagar, Uppal, R.R. District.

...PETITIONER

AND

The Collector and District Magistrate

Ranga Reddy District, Lakdi-ka-pool

Hyderabad.

...RESPONDENT

ORDER:

Petitioner seeks a Writ of Mandamus to declare the action of the respondent in not issuing gun licence as illegal and arbitrary.

Learned counsel for the petitioner submits that the petitioner has an Arms licence issued by the office of the Deputy Commissioner, Palamau, Bihar District vide licence No.25/1999 and he purchased a

12 Bore SBBL gun bearing No.1119 from Indian Arms Corporation. Learned counsel further

submits that the petitioner shifted his residence from Bihar to Andhra Pradesh; residing at Plot No.56, Ambedkar Nagar, Uppal, Ranga Reddy district and sought for re-registration of the licence in the office of the respondent.

The Deputy Commissioner, Palamau, vide his letter dated 23.03.1999 issued no objection certificate for re-registration of the gun in any other State. The gun licence issued by the Government of Bihar is for all India and the petitioner need to re-register the same in the State of AP, due to change of residence. The petitioner made a representation on 04.10.2002 requesting the respondent to re-register his gun licence but the Superintendent in the respondent office having received the same did not take any action. The learned counsel for the petitioner further submits that unless the gun licence is re-registered the petitioner cannot make use of the gun and cannot procure an Armed Escort Duty, which fetches him a sum of Rs.4,000/- per month but now he is only a security guard and earning Rs.2,000/- per month.

Without expressing any opinion as the representation of the petitioner is pending before the respondent there cannot be any justification for not disposing the said representation. Petitioner has filed a copy of the representation dated 04.10.2002 requesting to re-register his arms licence No.25 of 1999 valid up to 31.07.2003 covered by one 12 Bore SBBL Gun No.1119 valid for all India issued by Deputy Commissioner, Palamau, Bihar accompanied by original arms licence, two photographs and address proof.

Having regard to the facts and circumstances of the case, the respondent is directed to consider and dispose the representation of the petitioner dated 04.10.2002, if not already disposed of, in accordance with law after giving reasonable opportunity to the petitioner.

The writ petition is accordingly disposed of.

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V. ESWARAIAH, J

December 27, 2005

DSK